

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

FILED
OCT 19 2004
U.S. DISTRICT COURT
DISTRICT OF RHODE ISLAND

ALBERT L. GRAY, Administrator of
the Estate of DEREK GRAY, et al.,

Plaintiffs,

v.

C.A. No. 04-312L

JEFFREY DERDERIAN, et al.,

Defendants.

v.

HOME DEPOT U.S.A., INC.,

Third-Party
Defendant.

MOTION TO ENLARGE TIME TO ANSWER THIRD-PARTY COMPLAINT

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, Third-Party Defendant Home Depot U.S.A., Inc. ("Home Depot") hereby requests that this Court enlarge Home Depot's time to answer or otherwise respond to Defendant/Third-Party Plaintiff Howard Julian's ("Julian") Third-Party Complaint until November 20, 2004. As grounds for this motion, Home Depot represents that a response to the Third-Party Complaint is currently due on October 22, 2004, but that Julian has recently filed a motion to voluntarily dismiss Home Depot as a Third-Party Defendant from this case. Home Depot expects and believes that Julian's motion will be granted. Accordingly, Home Depot makes this request so that it can avoid the unnecessary time and expense associated with answering or otherwise responding to Julian's Third-Party Complaint in the event that Julian's motion is granted.

Granted: Ronald R. Sagnery
SB. USDS 11/10/04

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